

Phillip Rakhunov

From: Phillip Rakhunov
Sent: Thursday, November 2, 2023 7:54 AM
To: Alexander Sperber
Cc: Avram Frisch; Lauren Riddle
Subject: RE: Rock Fintek Amended Damages Disclosure

Alex, I looked further into the issue we spoke about on Monday. Here is my understanding and what my client would testify to, if asked: The 178,270 overage count, which forms the basis for the \$2,050,105 overpayment damages claim (@ \$11.50/box), came from Mr. Weiner (see AKW001914). To the extent that count is off, my client had no way to verify Mr. Weiner's representation as to the overage at the time. What is indisputable, however, is the overpayment by my client of \$1,940,000 over the contract price.

From: Alexander Sperber <asperber@lipsiuslaw.com>
Sent: Tuesday, October 31, 2023 5:27 PM
To: Phillip Rakhunov <prakhunov@psdfirm.com>
Cc: Avram Frisch <frischa@avifrischlaw.com>; Lauren Riddle <lriddle@psdfirm.com>
Subject: Re: Rock Fintek Amended Damages Disclosure

What number should I call you at?

Alexander J. Sperber

Lipsius-Benhaim Law LLP

80-02 Kew Gardens Rd., Suite 1030 | Kew Gardens, NY 11415
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On Tue, Oct 31, 2023 at 5:25 PM Phillip Rakhunov <prakhunov@psdfirm.com> wrote:

I obviously need to speak to my client, but I'm not sure what about the calculation makes no sense. Your client delivered more gloves than contracted for, we paid for them, and we want that money back.

I am driving right now but happy to talk if you want to call me.

----- Original message -----

From: Alexander Sperber <asperber@lipsiuslaw.com>
Date: 10/31/23 5:22 PM (GMT-05:00)
To: Phillip Rakhunov <prakhunov@psdfirm.com>
Cc: Avram Frisch <frischa@avifrischlaw.com>, Lauren Riddle <lriddle@psdfirm.com>
Subject: Re: Rock Fintek Amended Damages Disclosure

Phil,

Your amended damages disclosures -- besides for being highly suspicious -- make absolutely no sense. Will you agree to produce Kato and Gilling for supplemental depositions to answer questions concerning the calculations. Please advise immediately, so that I can apply to the Court for relief if necessary.

Best,
Alex

Alexander J. Sperber

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